

A scenic coastal landscape featuring a rocky beach, waves, and a cliff with trees. The text is overlaid on the image.

Public Access in Shoreline Master Programs

Betty Renkor
Department of Ecology
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Overview

- ▣ Regulatory and legal context.
- ▣ Definition.
- ▣ SMP Guidelines.
- ▣ Major issues.
- ▣ Public access planning.

Regulatory & legal context



Lake Osoyoos community trail (Ecology photo).

- ❑ Public Trust Doctrine.
- ❑ Coastal Zone Management Act.
- ❑ Washington Shoreline Management Act.

What is public access?



Alki Beach, Seattle (H. Shipman, Ecology, photo).

- ▣ General public can reach, touch and enjoy the water's edge...

Public access

Travel on the
waters of the
state...



Off Alki Beach (H. Shipman, Ecology, photo).

Public access

- ▣ View the water and the shoreline from adjacent locations.

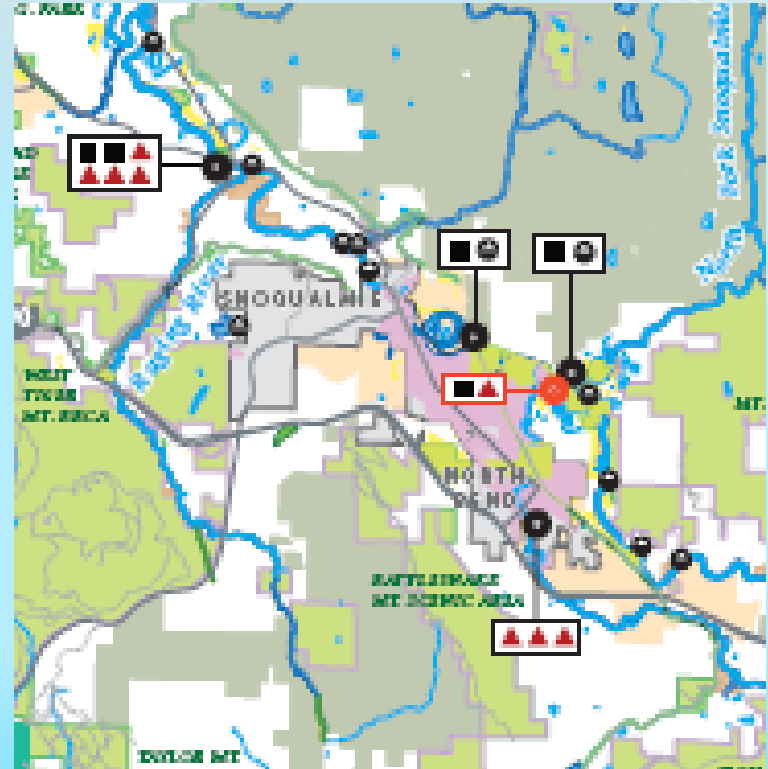


D. Purce, Ecology, photo.

Inventory [201(3)(c)(vi)]

Identify existing physical & visual access

- ❑ Public participation.
- ❑ Existing parks & trails plans.
- ❑ Current local databases.



King County Existing Public Access (partial map)

Inventory [201(3)(c)(vi)]

Identify potential public access sites

- Shoreline users.
- Local public properties.
- Footpaths, launch areas, road ends.
- Water access only.
- Public utilities, state agencies, industry.
- WA Coastal Atlas.



King County Shoreline Public Access Gaps and Opportunities (partial map)

Identify public access needs [201(3)(d)(v)]

- ▣ Explore actions to enhance shoreline recreation facilities.
 - Type and amount of current access.
 - Population growth.
 - Desires of residents and visitors.



Wenatchee Confluence State Park (Chelan PUD photo).

SMPs should: [221(4)(b)]

- ❑ Protect & enhance public access through policies & regulations.
- ❑ Address public access on public lands.
- ❑ Seek to increase amount & diversity of public access to shorelines.
- ❑ Require public entities to provide public access as part of development project.

Standards for public access

- Water-enjoyment uses.
- Water-related uses.
- Nonwater-dependent uses.
- Subdivision of land into more than 4 parcels.



Exceptions [221(4)(d)(iii)]

- Public access planning process.
- Infeasible – incompatible uses, safety, security, environmental impacts, legal limitations.

SMPS should: [221(4)(d)(iv)]

- Minimize impacts to existing views.
 - Maximum height limits.
 - Setbacks.
 - View corridors.
- Assure no net loss.

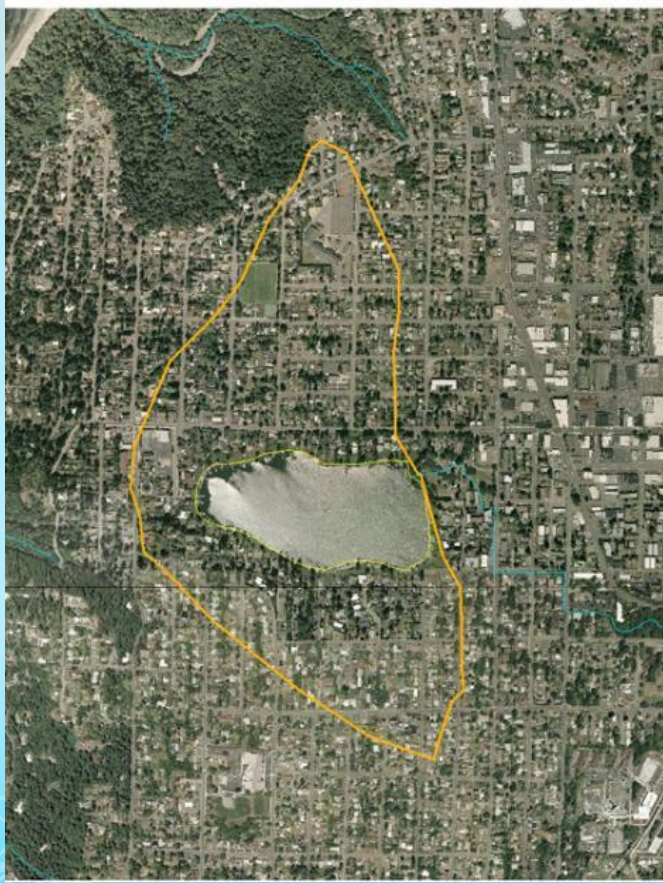
Single family residential

- ❑ Public access - not required at existing private single family residences.
- ❑ Public access required for subdivisions of more than 4 lots.



Lake Tapps

Single family residential



King County photo

- ▣ Lake Burien.
 - Private development.
 - No public access.
 - Controversy.

Water-enjoyment uses

- ▣ Requires public access component.
- ▣ Design standards needed.



Deception Pass State Park (D. Purce, Ecology, photo).

Critical areas

- ❑ Environmental protection has priority.
- ❑ Impacts must be mitigated.
- ❑ Potential options: Boardwalks, viewing platforms or decks

Off-site public access

- ❑ Alternative – for safety, security or site planning reasons.
- ❑ More likely for water-dependent industry.
- ❑ Public access plan needed to identify sites.



Diagonal Avenue South public access, Port of Seattle (D. Purce, Ecology, photo).

View protection

- ▣ Prevent blocking views.
- ▣ Justify development over 35 ft high.



Anacortes, Washington Coastal Atlas photo

Non-water oriented uses

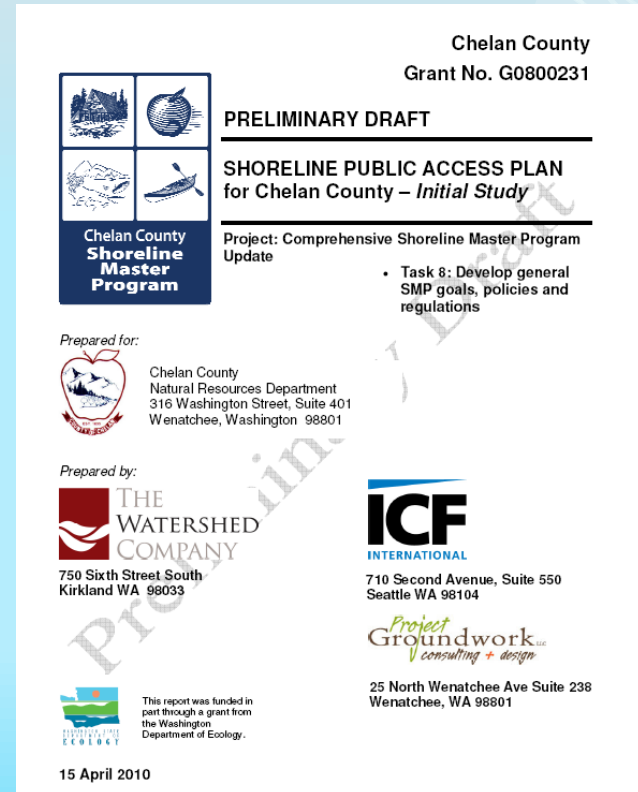
- ❑ Public access must be required.
- ❑ Public access - not a substitute for water-oriented use.



Spokane River (Ecology photo).

Public access planning

- ❑ Alternative to project-by-project approach.
- ❑ Rationale for access on community scale.
- ❑ May offset need for prescriptive approach of Guidelines.



Public access plan elements

- ❑ Public participation.
- ❑ Integration with other plans.
- ❑ Inventory and gap analysis.
- ❑ Priority areas and special opportunities.

Public access plan

- ❑ Implementation strategy.
- ❑ Plan provisions.
 - Policies.
 - Regulations.
 - Design standards.
 - Off-site mitigation, fee-in-lieu options.

A scenic coastal landscape featuring a wide, rocky beach in the foreground. The beach is composed of numerous grey and white stones of various sizes. To the left, gentle waves with white foam wash onto the shore. The ocean extends to the horizon under a clear blue sky with a few wispy clouds. On the right side of the image, a steep, eroded cliff rises from the beach. The cliff face is light-colored and shows signs of weathering. At the top of the cliff, there are several tall, dark green evergreen trees. The overall scene is peaceful and natural.

■ Thank you!